

UNITED STATES of AMERICA
U.S. DISTRICT COURT -- EASTERN DISTRICT OF MICHIGAN

MIKE KNEFFEL,
KATRINA BUTLER,
LYNNE COBB,
NANETTE LEHMAN,

Plaintiffs,

DEMAND FOR JURY TRIAL

-vs-

Case No.
Hon.

MIDLAND FUNDING, LLC,

Defendant.

COMPLAINT & JURY DEMAND

Introduction

1. The Plaintiffs in this lawsuit received notice that they were potential class members in companion cases, *Midland Funding, LLC v Brent v Midland Credit Management, Inc.*, ND OHIO Case Nos. 08-01434, 11- 0096 and 11-00961.
2. All four Plaintiffs timely opted out of the class.

Jurisdiction

3. This court has federal question jurisdiction under the Fair Debt Collection Practices Act, 15 U.S.C. §1692k(d) and 28 U.S.C. §§1331, 1337.

Parties

4. The first named Plaintiff to this lawsuit resides in Oakland County, Michigan.

5. Midland Funding, LLC, ("MFLLC") is a corporation doing business in Michigan.

Venue

6. The transactions and occurrences which give rise to this action occurred in Oakland County.
7. Venue is proper in the Eastern District of Michigan.

General Allegations

8. Each of the named Plaintiffs was sued by MFLLC in the State of Michigan.
9. As part of the lawsuit served upon each Plaintiff, MFLLC included an affidavit which contained a false statement about the affiant's personal knowledge.
10. MFLLC violated the Fair Debt Collection Practices Act ("FDCPA"), 15 U.S.C. §1692e.

COUNT I – Fair Debt Collection Practices Act

(Kneffel vs. MFLLC)

11. Plaintiffs incorporate the preceding allegations by reference.
12. At all relevant times MFLLC – in the ordinary course of its business – regularly engaged in the practice of collecting debts on behalf of other individuals or entities.
13. MFLLC is a "debt collector" under the Fair Debt Collection Practices Act ("FDCPA"), 15 U.S.C. §1692a(6).
14. MFLLC 's foregoing acts in attempting to collect this alleged debt against Ms. Butler constitute violations of the FDCPA.
15. Mr. Kneffel has suffered damages as a result of these violations of the FDCPA.

COUNT II – Fair Debt Collection Practices Act

(Butler vs. MFLLC)

16. Plaintiffs incorporate the preceding allegations by reference.

17. At all relevant times MFLLC – in the ordinary course of its business – regularly engaged in the practice of collecting debts on behalf of other individuals or entities.
18. MFLLC is a "debt collector" under the Fair Debt Collection Practices Act ("FDCPA"), 15 U.S.C. §1692a(6).
19. MFLLC 's foregoing acts in attempting to collect this alleged debt against Ms. Butler constitute violations of the FDCPA.
20. Ms. Butler has suffered damages as a result of these violations of the FDCPA.

COUNT III – Fair Debt Collection Practices Act

(Cobb vs. MFLLC)

21. Plaintiffs incorporate the preceding allegations by reference.
22. At all relevant times MFLLC – in the ordinary course of its business – regularly engaged in the practice of collecting debts on behalf of other individuals or entities.
23. MFLLC is a "debt collector" under the Fair Debt Collection Practices Act ("FDCPA"), 15 U.S.C. §1692a(6).
24. MFLLC's foregoing acts in attempting to collect this alleged debt against Ms. Cobb constitute violations of the FDCPA.
25. Ms. Cobb has suffered damages as a result of these violations of the FDCPA.

COUNT IV – Fair Debt Collection Practices Act

(Lehman vs. MFLLC)

26. Plaintiffs incorporate the preceding allegations by reference.
27. At all relevant times MFLLC – in the ordinary course of its business – regularly engaged in the practice of collecting debts on behalf of other individuals or entities.

28. MFLLC is a "debt collector" under the Fair Debt Collection Practices Act ("FDCPA"), 15 U.S.C. §1692a(6).
29. MFLLC 's foregoing acts in attempting to collect this alleged debt against Ms. Lehman constitute violations of the FDCPA.
30. Ms. Lehman has suffered damages as a result of these violations of the FDCPA.

Demand for Jury Trial

31. Plaintiffs demand a trial by jury in this action.

Demand For Judgment for Relief

ACCORDINGLY, Plaintiffs request that the Court:

- a. Award each Plaintiff statutory damages in the amount of \$1,000.00; and*
- b. Award statutory costs and attorney fees.*

Respectfully Submitted,

ADAM G. TAUB & ASSOCIATES
CONSUMER LAW GROUP, PLC

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